
HOUSE BILL 1256

State of Washington 60th Legislature 2007 Regular Session

By Representatives Dickerson, Kagi, Hunter, O'Brien and Ericks

Read first time 01/15/2007. Referred to Committee on Early Learning & Children's Services.

1 AN ACT Relating to preventing serious injury and strangulation from
2 window blind cords or other significant safety hazards in child care
3 settings; amending RCW 43.215.200; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.215.200 and 2006 c 265 s 301 are each amended to
6 read as follows:

7 It shall be the director's duty with regard to licensing:

8 (1) In consultation and with the advice and assistance of persons
9 representative of the various type agencies to be licensed, to
10 designate categories of child care facilities for which separate or
11 different requirements shall be developed as may be appropriate whether
12 because of variations in the ages and other characteristics of the
13 children served, variations in the purposes and services offered or
14 size or structure of the agencies to be licensed, or because of any
15 other factor relevant thereto;

16 (2) In consultation and with the advice and assistance of persons
17 representative of the various type agencies to be licensed, to adopt
18 and publish minimum requirements for licensing applicable to each of
19 the various categories of agencies to be licensed under this chapter.

1 The minimum requirements shall be limited to:

2 (a) The size and suitability of a facility and the plan of
3 operation for carrying out the purpose for which an applicant seeks a
4 license;

5 (b) The character, suitability, and competence of an agency and
6 other persons associated with an agency directly responsible for the
7 care of children. In consultation with law enforcement personnel, the
8 director shall investigate the conviction record or pending charges and
9 dependency record information under chapter 43.43 RCW of each agency
10 and its staff seeking licensure or relicensure. No unfounded
11 allegation of child abuse or neglect as defined in RCW 26.44.020 may be
12 disclosed to a provider licensed under this chapter. In order to
13 determine the suitability of applicants for an agency license,
14 licensees, their employees, and other persons who have unsupervised
15 access to children in care, and who have not resided in the state of
16 Washington during the three-year period before being authorized to care
17 for children shall be fingerprinted. The fingerprints shall be
18 forwarded to the Washington state patrol and federal bureau of
19 investigation for a criminal history records check. The fingerprint
20 criminal history records checks will be at the expense of the licensee.
21 The licensee may not pass this cost on to the employee or prospective
22 employee, unless the employee is determined to be unsuitable due to his
23 or her criminal history record. The director shall use the information
24 solely for the purpose of determining eligibility for a license and for
25 determining the character, suitability, and competence of those persons
26 or agencies, excluding parents, not required to be licensed who are
27 authorized to care for children. Criminal justice agencies shall
28 provide the director such information as they may have and that the
29 director may require for such purpose;

30 (c) The number of qualified persons required to render the type of
31 care for which an agency seeks a license;

32 (d) The health, safety, cleanliness, and general adequacy of the
33 premises to provide for the comfort, care, and well-being of children.
34 Minimum requirements related to safety of the premises shall include a
35 prohibition on the use of window blinds or other window coverings with
36 pull cords or inner cords capable of forming a loop and posing a risk
37 of strangulation to young children. When developing and periodically
38 reviewing minimum requirements related to safety of the premises, the

1 director also shall consult and give serious consideration to the
2 consumer product safety commission's most wanted list of child safety
3 recommendations;

4 (e) The provision of necessary care and early learning, including
5 food, supervision, and discipline; physical, mental, and social well-
6 being; and educational and recreational opportunities for those served;

7 (f) The financial ability of an agency to comply with minimum
8 requirements established under this chapter; and

9 (g) The maintenance of records pertaining to the care of children;

10 (3) To issue, revoke, or deny licenses to agencies pursuant to this
11 chapter. Licenses shall specify the category of care that an agency is
12 authorized to render and the ages and number of children to be served;

13 (4) To prescribe the procedures and the form and contents of
14 reports necessary for the administration of this chapter and to require
15 regular reports from each licensee;

16 (5) To inspect agencies periodically to determine whether or not
17 there is compliance with this chapter and the requirements adopted
18 under this chapter;

19 (6) To review requirements adopted under this chapter at least
20 every two years and to adopt appropriate changes after consultation
21 with affected groups for child day care requirements; and

22 (7) To consult with public and private agencies in order to help
23 them improve their methods and facilities for the care and early
24 learning of children.

25 NEW SECTION. **Sec. 2.** This act may be known and cited as the
26 Jaclyn Frank act.

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